

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADAM SCOTT,

Defendant.

## ORDER

1 of 2

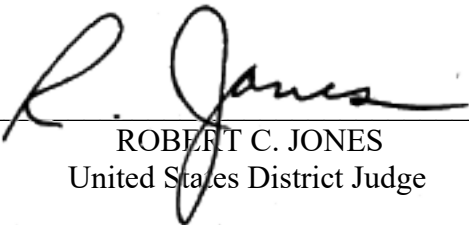
1 affirmed the Court's denial of the underlying motion citing *United States v. Gobert*, 943 F.3d 878,  
2 881 (9th Cir. 2019), where the Ninth Circuit analyzed whether assaults with a dangerous weapon  
3 under 18 U.S.C. § 113(a)(3) are crimes of violence under *Davis*. (ECF No. 40.) Defendant filed a  
4 writ of certiorari to the Supreme Court, which the Court denied. (ECF No. 44.) As the Ninth Circuit  
5 rejected the argument that Defendant seeks to preserve through its renewed motion, this Court  
6 denies the renewal as moot.

7 **CONCLUSION**

8 IT IS HEREBY ORDERED that Motion to Vacate, Set Aside, or Correct Sentence under 28  
9 U.S.C. § 2255 (ECF No. 42) is DENIED AS MOOT.

10 IT IS SO ORDERED.

11 Dated November 8, 2021.

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14 ROBERT C. JONES  
United States District Judge  
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